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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of October 09, 2009***2009-00064**

RECEIVED: 03/06/09

FILED: 03/06/09

FINAL:

REOPENED:

SUSPENSION DATE:

CASE NATURE: Dry Fork Site; Letcher County

CASE CODE

Construct Cell Site - No P&Z Commission

UTILITIES:

East Kentucky Network, LLC dba Appalachian Wireless

INTERVENORS: Shepherd

HEARINGS:

06/23/09 Informal Conference

10/06/09 Formal Hearing

04/23/09 Informal Conference

INDEX OF EVENTS:

03/06/09 Acknowledge Receipt of Filing
(M)03/06/09 APPLICATION OF EAST KENTUCKY NETWORK LIMITED LIABILITY COMPANY FOR THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A TOWER IN LETCHER COUNTY, KENTUCKY / Janice Robinson

03/13/09 No Deficiency Letter
(M)03/24/09 Lee Etta Cummings Letter of Intervention in Response to East Kentucky Network, LLC dba Appalachian Wireless Application / Nora Shepherd

03/24/09 Lee Etta Cummings Letter of Intervention in Response to Public Notice dated 03/04/09 to East Kentucky Network's application

03/30/09 Letter to William S. Kendrick regarding filing of Notice of Entry of Appearance
(M)04/08/09 William Kendrick's Notice of Appearance of Counsel / William Kendrick

04/20/09 Order Entered:
(1) The motion for intervention is granted, and Lee Etta Cummings is hereby made a party to these proceedings.
(2) An informal conference shall be held on April 23, 2009 at 1:00 p.m. Eastern Daylight Time, in Conference Room 1 of the Commission's offices at 211 Sower Blvd., Frankfort, KY.

(M)04/23/09 East Kentucky Network dba Appalachian Wireless Amendment to Original Filing of 030509 Site Survey Map / Gerald Robinette

04/29/09 Memorandum dated 4/29/09 for Informal Conference of 4/23/09; Comments, if any, due within five days of receipt

(M)05/04/09 East KY Network's Second Amendment to Original Filing Regarding Dry Fork Cellular Application / Gerald Robinette

05/08/09 Order Entered:
(1) East Kentucky shall have until May 13, 2009 to file a response to the Appraisal Report.
(2) The Intervenor shall file with the Commission, within 20 days of the date of this Order, a list of specific, suitable, and acceptable alternative locations.
(3) With the list of alternative Cell Facility locations, the Intervenor shall also file with the Commission a statement of whether she intends to appear at a formal hearing, if scheduled.
(4) The Intervenor shall file an original and vie copies of all statements, pleadings and evidence with the Commission.
(5) East Kentucky shall have a period of 15 days from the date of the Intervenor's filing of the information described above to response to the Intervenor's proposed alternative locations.
(6) The Federal Communications Commission has exclusive jurisdiction over issues regarding radio frequency, interference, and radio frequency emissions. This Commission will not receive any evidence regarding this matter in a hearing, if so scheduled, because it is without authority to consider such evidence.

(M)05/08/09 Lee Etta Cummings' Comments and Suggestions Regarding PSC's Corrected Memorandum dated 4/29/09 / Nora Shepherd

(M)05/13/09 East Kentucky Networks Comments Regarding Memorandum / William Kendrick

(M)05/13/09 East Kentucky Network's Request and Motion in Support for Extension of Time and Affidavit / William Kendrick

(M)05/13/09 East Kentucky Network's Request and Motion in Support for Extension of Time and Affidavit / William Kendrick

05/19/09 Order Entered: East Kentucky shall have until May 20, 09 to file a response to the Intervenor's appraisal report

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(M)05/20/09	East Kentucky Network's copy of letter to Letcher County Judge Executive / Gerald Robinette
(M)05/21/09	East Kentucky Network's Notice of Filing of Appraisal Report by Applicant / William Kendrick
(M)05/22/09	East Kentucky Network's copy of letter sent to Fred Webb of Sapphire Coal Company / Gerald Robinette
(M)05/28/09	Lee Etta Cummings' Notice of Filing of Alternate Tower Locations by Intervenor / Nora Shepherd
(M)06/01/09	Letter dated 5/27/09 from the President of Sapphire Coal Company to Gerald Robinette / Nora Shepherd
(M)06/12/09	East Kentucky Network's Response to Filing of Alternate Tower Locations of the Intervener / William Kendrick
(M)06/25/09	Troublesome Creek Gas' Letter to Lee Etta Cummings and Estimate regarding cost of an Access Road / Nora Shepherd
(M)06/26/09	East Kentucky Network's Objection to Intervenor's Offer of Additional Information / William Kendrick
(M)06/30/09	Lee Etta Cummings' Response to East Kentucky Network's Objection / Nora Shepherd
(M)07/06/09	East Kentucky Network's Reply to the Intervenor's Response to Objection / William Kendrick
07/20/09	Order Entered: East Kentucky objection and request to strike Ms Cummings documents filed on June 25, 09 is denied: Ms Cummings response to East Kentucky's objection which request to strike the documents filed by East Kentucky on May 20, 09 and May 22, 09 is denied
08/14/09	Order Entered: A hearing on the proposed cell facility is scheduled for Oct 6, 09 at 9 am at the PSC offices on or before Sept 8, 09 each party shall file with the PSC a list of witnesses it proposes to produce at Hearing: On or before Sept 25, 09 each party shall file with the PSC a list of exhibits it proposes to produce at hearing: East Kentucky shall appear at the Hearing and address the necessity of the construction and operation of the cell facility: Jurisdictional safety issues eng and construction including the suitability and preparation of the Cell Facility Character of the general area of concern and the likely effects on nearby land values: Proposed alternate locations: Opening statements shall not be permitted at the Hearing: Any interested person shall have the opportunity to present comments about the proposed cell facility
(M)09/08/09	Witness List on Behalf of Intervenor / Nora Shepherd
09/09/09	Order Entered: Motion for extension of time is granted: Direct testimony due no later than Sept 18, 09: Witness list no later than Sept 8, 09: Rebuttal testimony no later than Sept 25, 09 : Parties shall submit their exhibit lists no later than Sept 25, 09
(M)09/10/09	East Kentucky Network Witness List / William Kendrick
(M)09/18/09	East Kentucky Network's Prefiled Testimony of Marty Thacker and James Caudill / William Kendrick
(M)09/23/09	East Kentucky Network's Exhibits / William Kendrick
(M)09/24/09	Lee Etta Cummings' Notice of Filing Exhibits / Nora Shepherd
(M)09/25/09	East Kentucky Network's Notice of Filing of Rebuttal Testimony / William Kendrick

Total Number of Cases: 1